

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 609 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

1 Page 9, between lines 32 and 33, begin a new paragraph and
2 insert:
3 "SECTION 8. IC 6-3.5-6-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JANUARY 1, 2006]: Sec. 1. As used in this
5 chapter:
6 "Adjusted gross income" has the same definition that the term is
7 given in IC 6-3-1-3.5. However, in the case of a county taxpayer who
8 is not treated as a resident county taxpayer of a county, the term
9 includes only adjusted gross income derived from his principal place of
10 business or employment.
11 "Civil taxing unit" means any entity, except a school
12 corporation,
13 that has the power to impose ad valorem property taxes. The term does
14 not include a solid waste management district that is not entitled to a
15 distribution under section 1.3 of this chapter. However, in the case of
16 a county in which a consolidated city is located, the consolidated city,
17 the county, all special taxing districts, special service districts, included
18 towns (as defined in IC 36-3-1-7), and all other political subdivisions
19 except townships, excluded cities (as defined in IC 36-3-1-7), **a public**
20 **transportation corporation established under IC 36-9-4**, and school
21 corporations shall be deemed to comprise one (1) civil taxing unit
22 whose fiscal body is the fiscal body of the consolidated city.
23 "County income tax council" means a council established by
24 section 2 of this chapter.
25 "County taxpayer", as it relates to a particular county, means any
26 individual:

1 (1) who resides in that county on the date specified in
 2 section 20 of this chapter; or
 3 (2) who maintains his principal place of business or
 4 employment in that county on the date specified in
 5 section 20 of this chapter and who does not reside on
 6 that same date in another county in which the county
 7 option income tax, the county adjusted income tax, or
 8 the county economic development income tax is in
 9 effect.
 10 "Department" refers to the Indiana department of state revenue.
 11 "Fiscal body" has the same definition that the term is given in
 12 IC 36-1-2-6.
 13 "Resident county taxpayer", as it relates to a particular county,
 14 means any county taxpayer who resides in that county on the date
 15 specified in section 20 of this chapter.
 16 "School corporation" has the same definition that the term is
 17 given IC 6-1.1-1-16."
 18 Page 13, line 4, strike "as" and insert "**established**".
 19 Page 13, strike line 5.
 20 Page 13, line 6, strike "IC 36-9-4-42;" and insert "**IC 36-9-4;**".
 21 Page 18, between lines 20 and 21, begin a new paragraph and
 22 insert:
 23 "SECTION 16. IC 36-9-4-42 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JANUARY 1, 2006]: Sec. 42. (a) A
 25 municipality or a public transportation corporation that expends money
 26 for the establishment or maintenance of an urban mass transportation
 27 system under this chapter may acquire the money for these expenditures:
 28 (1) by issuing bonds under section 43 or 44 of this
 29 chapter;
 30 (2) by borrowing money made available for such
 31 purposes by any source;
 32 (3) by accepting grants or contributions made available
 33 for such purposes by any source;
 34 (4) in the case of a municipality, by appropriation from
 35 the general fund of the municipality, or from a special
 36 fund that the municipal legislative body includes in the
 37 municipality's budget; or
 38 (5) in the case of a public transportation corporation, by
 39 levying a tax under section 49 of this chapter or ~~by~~
 40 ~~recommending an election to use revenue from the~~
 41 ~~county option income taxes, as provided in subsection~~
 42 ~~(c):~~ **using revenue from county option income taxes.**
 43 (b) Money may be acquired under this section for the purpose of
 44 exercising any of the powers granted by or incidental to this chapter,
 45 including:
 46 (1) studies under section 4, 9, or 11 of this chapter;
 47 (2) grants in aid;
 48 (3) the purchase of buses or real property by a
 49 municipality for lease to an urban mass transportation
 50 system, including the payment of any amount
 51 outstanding under a mortgage, contract of sale, or other
 52 security device that may attach to the buses or real
 53 property;
 54 (4) the acquisition by a public transportation
 55 corporation of property of an urban mass transportation
 56 system, including the payment of any amount

outstanding under a mortgage, contract of sale, or other security device that may attach to the property;
 (5) the operation of an urban mass transportation system by a public transportation corporation, including the acquisition of additional property for such a system; and
 (6) the retirement of bonds issued and outstanding under this chapter.

(c) This subsection applies only to a public transportation corporation located in a county having a consolidated city. In order to provide revenue to a public transportation corporation during a year, the public transportation corporation board may recommend and the county fiscal body may elect to provide revenue to the corporation from part the certified distribution, if any, that the county is to receive during same year under IC 6-3.5-6-17. To make the election, the county fiscal body must adopt an ordinance before September 1 of the preceding year. The county fiscal body must specify in the ordinance amount of the certified distribution that is to be used to provide revenue to the corporation. If such an ordinance is adopted, the county fiscal body shall immediately send a copy of the ordinance to the county auditor."

Renumber all SECTIONS consecutively.

(Reference is to ESB 609 as printed March 18, 2005.)

Representative ESPICH

Adopted

Rejected

COMMITTEE REPORT

MR. SPEAKER:

Your Committee of One, to which was referred Engrossed Senate Bill 609, begs leave to report that said bill has been amended as directed.

Representative ESPICH